

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LAURETTA POWER and
MICHAEL POWER, SR.,

Plaintiffs Below,
Appellants,

v.

SEARS AND ROEBUCK CO., and
SEARS HOME IMPROVEMENT
PRODUCTS,

Defendants Below,
Appellees.

§

§ No. 465, 2008

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§ Court Below – Superior Court

§ of the State of Delaware,

§ in and for Kent County

§ C.A. No. 08C-02-008

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Submitted: February 4, 2009

Decided: March 10, 2009

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices.

O R D E R

This 10th day of March 2009, the Court having considered this matter on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision dated August 28, 2008. In this appellate proceeding, the appellees agreed to arbitrate *all* claims between the parties in the pending arbitration, including claims that would not otherwise be subject to arbitration.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment
of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice